

September 22, 2015

VIA ELECTRONIC MAIL

Ms. Jane Farewell-Jensen
Division of Water Rights
State Water Resources Control Board
Post Office Box 2000
Sacramento, CA 95814-0100
jane.farewell-jensen@waterboards.ca.gov

Re: Pre-Hearing Conference in the Matter of Alleged Unauthorized Diversion by Byron-Bethany Irrigation District

Dear Ms. Farewell-Jensen:

This letter is submitted by The West Side Irrigation District (“**WSID**”) in response to the September 11, 2015 letter by State Water Resources Control Board (“**State Water Board**”) Member and Hearing Officer Tam M. Doduc, to the list of parties in the above referenced hearing.

WSID joins in the request of Byron-Bethany Irrigation District, Central Delta Water Agency, and South Delta Water Agency to have the hearing delayed due to pending litigation in Santa Clara County Superior Court, Case No. 1-15-CV-285182 (“**Water Right Curtailment Cases**”), and to allow additional time for discovery and preparation of testimony. The very issues identified as key hearing issues are currently the subject to the Water Right Curtailment Cases, and it would not be prudent for the State Water Board to proceed with a hearing before the court has an opportunity to rule on the legal issues. In addition, in order to protect the due process rights of BBID and the other parties to the hearing, including WSID, the State Water Board must allow sufficient time for discovery, including witness and expert depositions. We support postponement of the hearing until at least May 2016.

Very truly yours,



JEANNE M. ZOLEZZI
Attorney-at-Law

JMZ:pg

cc: Service List
Mr. Dave Kaiser

**SERVICE LIST OF PARTICIPANTS
 BYRON-BETHANY IRRIGATION DISTRICT
 ADMINISTRATIVE CIVIL LIABILITY HEARING
 (09/02/15; Revised: 09/11/15)**

<p>Division of Water Rights Prosecution Team Andrew Tauriainen, Attorney III SWRCB Office of Enforcement 1001 I Street, 16th Floor Sacramento, CA 95814 andrew.tauriainen@waterboards.ca.gov</p>	<p>Byron Bethany Irrigation District Daniel Kelly Somach Simmons & Dunn 500 Capitol Mall, Suite 1000, Sacramento, CA 95814 dkelly@somachlaw.com</p>
<p>Patterson Irrigation District Banta-Carbona Irrigation District The West Side Irrigation District Jeanne M. Zolezzi Herum\Crabtree\Suntag 5757 Pacific Ave., Suite 222 Stockton, CA 95207 izolezzi@herumcrabtree.com</p>	<p>City and County of San Francisco Johnathan Knapp Office of the City Attorney 1390 Market Street, Suite 418 San Francisco, CA 94102 jonathan.knapp@sfgov.org</p>
<p>Central Delta Water Agency Jennifer Spaletta Spaletta Law PC PO Box 2660 Lodi, CA 95241 jennifer@spalettalaw.com</p> <p>Dante Nomellini and Dante Nomellini, Jr. Nomellini, Grilli & McDaniel ngmplcs@pacbell.net dantejr@pacbell.net</p>	<p>California Department of Water Resources Robin McGinnis, Attorney PO Box 942836 Sacramento, CA 94236-0001 robin.mcginnis@water.ca.gov</p>
<p>Richard Morat 2821 Berkshire Way Sacramento, CA 95864 rjmorat@gmail.com</p>	<p>San Joaquin Tributaries Authority Valeri Kincaid O'Laughlin & Paris LLP 2617 K Street, Suite 100 Sacramento, CA 95814 vkinaid@olaughlinparis.com</p>
<p>South Delta Water Agency John Herrick, Esq. 4255 Pacific Ave., Suite 2 Stockton, CA 95207 jherrlaw@aol.com</p>	<p>State Water Contractors Stefani Morris, Attorney 1121 L Street, Suite 1050 Sacramento, CA 95814 smorris@swc.org</p>